

**REPORT OF THE AUDITOR-GENERAL TO THE KWAZULU-NATAL PROVINCIAL
LEGISLATURE AND THE COUNCIL ON THE FINANCIAL STATEMENTS AND
PERFORMANCE INFORMATION OF BIG FIVE FALSE BAY MUNICIPALITY FOR THE
YEAR ENDED 30 JUNE 2009**

REPORT ON THE FINANCIAL STATEMENTS

Introduction

1. I have audited the accompanying financial statements of the Big Five False Bay Municipality which comprise the balance sheet as at 30 June 2009, the income statement and the cash flow statement for the year then ended, a summary of significant accounting policies and other explanatory notes as set out on pages [xx] to [xx].

The accounting officer's responsibility for the financial statements

2. The accounting officer is responsible for the preparation of these financial statements in accordance with the entity-specific basis of accounting, as set out in accounting policy note 1 and in the manner required by the Municipal Finance Management Act, 2003 (Act No. 56 of 2003) (MFMA) and for such internal control as the accounting officer determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

The Auditor-General's responsibility

3. As required by section 188 of the Constitution of the Republic of South Africa, 1996 read with section 4 of the Public Audit Act, 2004 (Act No. 25 of 2004) (PAA) and section 126(3) of the MFMA, my responsibility is to express an opinion on these financial statements based on my audit.
4. I conducted my audit in accordance with the International Standards on Auditing and *General Notice 616 of 2008*, issued in *Government Gazette No. 31057 of 15 May 2008*. Those standards require that I comply with ethical requirements and plan and perform the audit to obtain reasonable assurance on whether the financial statements are free from material misstatement.
5. An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.
6. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Basis for qualified opinion

Property, plant and equipment

7. The opening balance of property, plant and equipment includes an amount of R3 896 813 that should have been written off in the prior year as follows:

• Loans redeemed and other capital receipts	R3 741 765
• Prior year contribution from operating income	R 155 048

The above was corrected in the current year, resulting in the fixed asset opening balance being overstated and the accumulated deficit opening balance being understated.

The fixed asset register was last updated in the 2005-06 financial year. I reconciled the fixed asset register and the asset additions in the general ledger from 2005-06 to 2008-09. An unexplained net difference of R241 543 was calculated, being the difference between the asset register and the general ledger at 30 June 2009.

When comparing the balances of the ledger entries of assets totalling R23 739 433 to the asset register, assets totalling R3 388 419 as set out below could not be verified or traced to the asset register. The municipality's records did not permit the application of adequate alternative audit procedures regarding these assets. Consequently, I did not obtain sufficient appropriate audit evidence to satisfy myself as to the existence, valuation, completeness and ownership of the following classes of assets:

• Furniture, office equipment, other machinery and equipment	R1 396 822
• Motorways	R 709 731
• Tractors	R 174 375
• Land and buildings	<u>R1 107 491</u>
• TOTAL	<u>R3 388 419</u>

Creditors

8. A difference of R316 193 was identified between the creditors age analysis and the control account in the general ledger, whereby the general ledger balance of R1 163 670 exceeded the creditors age analysis balance of R847 427. This difference could not be explained by management or supported by documentation. Furthermore, creditors to the value of R299 247 could not be verified against documentation received. I did not obtain sufficient appropriate audit evidence to satisfy myself as to the existence and valuation of creditors totalling R615 440.

Qualified opinion

9. In my opinion, except for the possible effects of the matters described in the Basis for qualified opinion paragraphs, the financial statements of the Big Five False Bay Municipality have been prepared, in all material respects, in accordance with the basis of accounting as set out in accounting policy note 1 and in the manner required by the MFMA.

Emphasis of matters

I draw attention to the following matters:

Basis of accounting

10. The municipality's policy is to prepare financial statements in accordance with the entity-specific basis of accounting, as set out in accounting policy note 1.

Going concern

11. While the municipality has prepared financial statements on a going concern basis, there are indicators that its financial sustainability is under threat. The municipality has incurred a loss of R6 127 928 in the current year and the accumulated deficit was R8 434 147.

Furthermore, it was noted that concomitant assets (investments, cash and bank) were insufficient to support the existence of funds and reserves with a shortfall of R4 633 929.

Salaries of R6 723 969 (councillors included) and general operating expenses of R10 228 727 represented 122% of income totalling R13 937 058 (excluding capital grants). The extent to which effective service delivery can be achieved is questionable.

Unauthorised expenditure

12. Unauthorised expenditure of R7 361 306 was incurred as a result of the overspending of the amount appropriated for certain components of expenditure votes in the budget for the year under review. The unauthorised expenditure was disclosed in note 32 to the financial statements.

Other matters

I draw attention to the following matters that relate to my responsibilities in the audit of the financial statements:

Material inconsistencies in other information included in the annual report

13. I have not obtained the other information included in the annual report and have not been able to identify any material inconsistencies with the financial statements.

Unaudited supplementary schedules

14. The supplementary information set out on pages xx to xx does not form part of the financial statements and is presented as additional information. I have not audited these schedules and accordingly I do not express an opinion thereon.

Non-compliance with applicable legislation**Municipal Finance Management Act**

15. Section 65(2)(e) of the MFMA states that all money owing by the municipality should be paid within 30 days of receiving the relevant invoice or statement, unless prescribed otherwise for certain categories of expenditure. While testing payments it was noted that some creditors were paid after 30 days.

Governance framework

16. The governance principles that impact the auditor's opinion on the financial statements are related to the responsibilities and practices exercised by the accounting officer and executive management and are reflected in the internal control deficiencies and key governance responsibilities addressed below:

Internal control deficiencies

17. Section 62(1)(c)(i) of the MFMA states that the accounting officer must ensure that the municipality has and maintains effective, efficient and transparent systems of financial and risk management and internal control. The table below depicts the root causes that gave rise to the deficiencies in the system of internal control, which led to the qualified opinion. The root causes are categorised according to the five components of an effective system of internal control (the number listed per component can be followed with the legend below the table.) In some instances deficiencies exist in more than one internal control component.

Par. no.	Basis for qualified opinion	CE	RA	CA	IC	M
7	Property, plant and equipment	6	2	5		3
8	Creditors	6	2	5		3

18. Due to deficiencies in internal controls with regard to fixed assets, I was unable to verify furniture, office equipment, other machinery and equipment. The fixed asset register was not updated. Furthermore, I was unable to physically verify assets to confirm the completeness, existence, valuation and ownership of assets. Control activities were not selected and developed to mitigate risks to fixed asset reporting. Internal control deficiencies with regard to creditors are not identified and communicated in a timely manner to allow for corrective action to be taken.

Legend	
CE = Control environment	
The organisational structure does not address areas of responsibility and lines of reporting to support effective control over financial reporting.	1

Management and staff are not assigned appropriate levels of authority and responsibility to facilitate control over financial reporting.	2
Human resource policies do not facilitate effective recruitment and training, disciplining and supervision of personnel.	3
Integrity and ethical values have not been developed and are not understood to set the standard for financial reporting.	4
The accounting officer/accounting authority does not exercise oversight responsibility over financial reporting and internal control.	5
Management's philosophy and operating style do not promote effective control over financial reporting.	6
The entity does not have individuals competent in financial reporting and related matters.	7
RA = Risk assessment	
Management has not specified financial reporting objectives to enable the identification of risks to reliable financial reporting.	1
The entity does not identify risks to the achievement of financial reporting objectives.	2
The entity does not analyse the likelihood and impact of the risks identified.	3
The entity does not determine a risk strategy/action plan to manage identified risks.	4
The potential for material misstatement due to fraud is not considered.	5
CA = Control activities	
There is inadequate segregation of duties to prevent fraudulent data and asset misappropriation.	1
General information technology controls have not been designed to maintain the integrity of the information system and the security of the data.	2
Manual or automated controls are not designed to ensure that the transactions have occurred, are authorised, and are completely and accurately processed.	3
Actions are not taken to address risks to the achievement of financial reporting objectives.	4
Control activities are not selected and developed to mitigate risks over financial reporting.	5
Policies and procedures related to financial reporting are not established and communicated.	6
Realistic targets are not set for financial performance measures, which are in turn not	7

linked to an effective reward system.	
IC = Information and communication	
Pertinent information is not identified and captured in a form and time frame to support financial reporting.	1
Information required to implement internal control is not available to personnel to enable internal control responsibilities.	2
Communications do not enable and support the understanding and execution of internal control processes and responsibilities by personnel.	3
M = Monitoring	
Ongoing monitoring and supervision are not undertaken to enable an assessment of the effectiveness of internal control over financial reporting.	1
Neither reviews by internal audit or the audit committee nor self -assessments are evident.	2
Internal control deficiencies are not identified and communicated in a timely manner to allow for corrective action to be taken.	3

Key governance responsibilities

19. The MFMA tasks the accounting officer with a number of responsibilities concerning financial and risk management and internal control. Fundamental to achieving this is the implementation of key governance responsibilities, which I have assessed as follows:

No.	Matter	Y	N
Clear trail of supporting documentation that is easily available and provided in a timely manner			
1.	No significant difficulties were experienced during the audit concerning delays or the availability of requested information.		<input type="checkbox"/>
Quality of financial statements and related management information			
2.	The financial statements were not subject to any material amendments resulting from the audit.		<input type="checkbox"/>
3.	The annual report was submitted for consideration prior to the tabling of the auditor's report.		<input type="checkbox"/>
Timeliness of financial statements and management information			
4.	The annual financial statements were submitted for auditing as per the legislated deadline in section 126 of the MFMA.	<input type="checkbox"/>	

Availability of key officials during audit			
5.	Key officials were available throughout the audit process.	<input type="checkbox"/>	
Development and compliance with risk management, effective internal control and governance practices			
6.	Audit committee		
	<ul style="list-style-type: none"> The municipality had an audit committee in operation throughout the financial year. 	<input type="checkbox"/>	
	<ul style="list-style-type: none"> The audit committee operates in accordance with approved, written terms of reference. 	<input type="checkbox"/>	
	<ul style="list-style-type: none"> The audit committee substantially fulfilled its responsibilities for the year, as set out in section 166(2) of the MFMA. 	<input type="checkbox"/>	
7.	Internal audit		
	<ul style="list-style-type: none"> The municipality had an internal audit function in operation throughout the financial year. 		<input type="checkbox"/>
	<ul style="list-style-type: none"> The internal audit function operates in terms of an approved internal audit plan. 	<input type="checkbox"/>	
	<ul style="list-style-type: none"> The internal audit function substantially fulfilled its responsibilities for the year, as set out in section 165(2) of the MFMA. 	<input type="checkbox"/>	
8.	There are no significant deficiencies in the design and implementation of internal control in respect of financial and risk management.		<input type="checkbox"/>
9.	There are no significant deficiencies in the design and implementation of internal control in respect of compliance with applicable laws and regulations.		<input type="checkbox"/>
10.	The information systems were appropriate to facilitate the preparation of the financial statements.	<input type="checkbox"/>	
11.	A risk assessment was conducted on a regular basis and a risk management strategy, which includes a fraud prevention plan, is documented and used as set out in section 62(1)(c)(i) of the MFMA.		<input type="checkbox"/>
12.	Delegations of responsibility are in place, as set out in section 79 of the MFMA.	<input type="checkbox"/>	
Follow-up of audit findings			
13.	The prior year audit findings have been substantially addressed.	<input type="checkbox"/>	
14.	SCOPA/Oversight resolutions have been substantially implemented.	<input type="checkbox"/>	
Issues relating to the reporting of performance information			
15.	The information systems were appropriate to facilitate the preparation of a performance report that is accurate and complete.		<input type="checkbox"/>
16.	Adequate control processes and procedures are designed and implemented to ensure the accuracy and completeness of reported performance information.		<input type="checkbox"/>
17.	A strategic plan was prepared and approved for the financial year under review for purposes of monitoring the performance in relation to the budget and delivery by the municipality against its mandate,		<input type="checkbox"/>

	predetermined objectives, outputs, indicators and targets section 68 of the MFMA.		
18.	There is a functioning performance management system and performance bonuses are only paid after proper assessment and approval by those charged with governance.	<input type="checkbox"/>	

20. A clear trail of supporting documentation was not always available in respect of suspense accounts identified. There was a delay in receiving information requested from the municipality. My high-level review of the financial statements submitted for auditing identified errors. This, together with findings from our audit required the financial statements to be adjusted. The key officials were available during the audit and provided support and information although not timeously. We urge management to employ the good practices in the table above in order to facilitate a smoother audit process.

REPORT ON OTHER LEGAL AND REGULATORY REQUIREMENTS

Report on performance information

21. I have reviewed the performance information as set out on pages [xx] to [xx].

The accounting officer's responsibility for the performance information

22. In terms of section 121(3)(c) of the MFMA, the annual report of a municipality must include the annual performance report of the municipality, prepared by the municipality in terms of section 46 of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000) (MSA).

The Auditor-General's responsibility

23. I conducted my engagement in accordance with section 13 of the PAA read with *General Notice 616 of 2008*, issued in *Government Gazette No. 31057 of 15 May 2008*.

24. In terms of the foregoing my engagement included performing procedures of a review nature to obtain sufficient appropriate evidence about the performance information and related systems, processes and procedures. The procedures selected depend on the auditor's judgement.

25. I believe that the evidence I have obtained is sufficient and appropriate to provide a basis for the findings reported below.

Findings on performance information

Non-compliance with regulatory requirements

No or inadequate quarterly reporting on performance information

26. No quarterly reports on the progress in achieving measurable objectives and targets of the municipality were provided for audit purposes in terms of section 34(b) of the MSA.

Content of integrated development plan

27. The integrated development plan (IDP) of the Big Five False Bay Municipality did not include the key performance indicators and performance targets determined in terms of its performance management system, as required by sections 26(i) and 41(1)(b) of the MSA and regulation 12 of the Municipal Planning and Performance Management Regulations, 2001.

No mid-year budget and performance assessments

28. Sufficient appropriate audit evidence was not provided for audit purposes to determine whether the accounting officer of the municipality assessed the performance of the municipality during the first half of the financial year, taking into account the municipality's service delivery performance during the first half of the financial year and the service delivery targets and performance indicators set in the service delivery and budget implementation plan, as required by section 72 of the MFMA.

Usefulness and reliability of reported performance information

29. The following criteria were used to assess the usefulness and reliability of the information on the municipality's performance with respect to the objectives in its IDP:
- Consistency: Has the municipality reported on its performance with regard to its objectives, indicators and targets in its approved integrated development plan?
 - Relevance: Is the performance information as reflected in the indicators and targets clearly linked to the predetermined objectives and mandate. Is this specific and measurable, and is the time period or deadline for delivery specified?
 - Reliability: Can the reported performance information be traced back to the source data or documentation and is the reported performance information accurate and complete in relation to the source data or documentation?

The following audit findings relate to the above criteria:

Inconsistently reported performance information

30. The Big Five False Bay Municipality performance objectives in the IDP are not consistent with those in the annual performance report.

Reported performance information not reliable

Lack of source documentation

31. Sufficient appropriate audit evidence relating to the reported performance information of the municipality could not be obtained with regard to compliance with the MSA, sections 21(a), 34, 39(a), 40, 41(1)(d), 42, 44 and 46 as well as the MFMA, sections 53(1)(c), 54(1)(c), 71, 72 and 121 as the relevant source documentation could not be provided for audit purposes.

Source information not accurate and complete

32. The source information or evidence provided to support the reported performance information with regard to the Developed Housing Sector Plan did not adequately support the accuracy and completeness of the facts.

APPRECIATION

33. The assistance rendered by the staff of the Big Five False Bay Municipality during the audit is sincerely appreciated.

Auditor - General

Pietermaritzburg

28 January 2010



**AUDITOR - GENERAL
SOUTH AFRICA**

Auditing to build public confidence